

O'MELVENY & MYERS LLP

BEIJING  
BRUSSELS  
CENTURY CITY  
HONG KONG  
LONDON  
LOS ANGELES

Times Square Tower  
7 Times Square  
New York, New York 10036  
TELEPHONE (212) 326-2000  
FACSIMILE (212) 326-2061  
[www.omm.com](http://www.omm.com)

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May 23, 2008

*BY HAND*

Honorable George B. Daniels  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Room 630  
New York, New York 10007

The oral argument on both motions  
is scheduled for June 17, 2008 at  
10:30 a.m.

*George B. Daniels*

**HON. GEORGE B. DANIELS**

*MAY 30 2008*

WRITER'S DIRECT DIAL

(212) 326-4305

WRITER'S E-MAIL ADDRESS

[virskey@omm.com](mailto:virskey@omm.com)

**Re: Beinecke v. S&H Marketing, Inc., No. 08-CV-2483 (GBD)**

Dear Judge Daniels:

We represent Defendants S&H Marketing, Inc. and The Sperry and Hutchinson Company, Inc. in connection with the above-referenced matter. We write with the consent of Plaintiffs' counsel in connection with the Court's March 17, 2008 Order scheduling an initial Case Management Conference for June 3, 2008 at 9:30 a.m. ("Conference"). In light of Defendants' pending Motion to Transfer Venue to the Central District of California and Plaintiffs' Motion for Abstention and Remand, the parties respectfully suggest that holding the Conference now would be premature. Accordingly, the parties jointly request that the Court adjourn the Conference until the pending motions are resolved.

If, however, the Court wishes to proceed with the Conference now, then, because of scheduling conflicts, the parties request that it be rescheduled to June 17, 2008.

Respectfully submitted,

*Svirsky*  
Gary Svirsky

encls.

cc: Laura Steinberg, Esq.